

**AGENDA FOR THE
REGULAR COUNCIL MEETING OF
TUESDAY, JANUARY 20, 2004 AT 10:00 A.M.
CITY ADMINISTRATION BUILDING
COUNCIL CHAMBERS – 12TH FLOOR
202 “C” STREET
SAN DIEGO, CA 92101**

NOTE: The public portion of the meeting will begin at 10:00 a.m. The City Council will meet in Closed Session this morning from 9:00 a.m. – 10:00 a.m. Copies of the Closed Session agenda are available in the Office of the City Clerk.

OTHER LEGISLATIVE MEETINGS

The **SAN DIEGO HOUSING AUTHORITY** is scheduled to meet today in the Council Chambers. A separate agenda is published for it, and is available in the Office of the City Clerk. For more information, please contact the Housing Authority Secretary at (619) 578-7540.

ITEM-1: ROLL CALL.

ITEM-10: INVOCATION.

ITEM-20: PLEDGE OF ALLEGIANCE.

=== LEGISLATIVE SCHEDULE ===

Special Order of Business

ITEM-30: Approval of Council Minutes.

NON-AGENDA PUBLIC COMMENT

This portion of the agenda provides an opportunity for members of the public to address the Council on items of interest within the jurisdiction of the Council. (Comments relating to items on today's docket are to be taken at the time the item is heard.)

Time allotted to each speaker is determined by the Chair, however, comments are limited to no more than three (3) minutes **total per subject**, regardless of the number of those wishing to speak. Submit requests to speak to the City Clerk **prior** to the start of the meeting. Pursuant to the Brown Act, no discussion or action, other than a referral, shall be taken by Council on any issue brought forth under "Non-Agenda Public Comment."

COUNCIL, CITY ATTORNEY, CITY MANAGER COMMENT

REQUESTS FOR CONTINUANCE

The Council will now consider requests to continue items scheduled for this morning's session. Requests to continue items scheduled to be heard at this afternoon's session will be taken at 2:00 p.m.

=== LEGISLATIVE SCHEDULE (Continued) ===

Adoption Agenda, Consent Items

- ITEM-50: NOTE: This Item has been moved under the Adoption Agenda items for discussion, as Item #202.
- ITEM-100: Ratify Award of Contract for the Purchase of Security Guard Services at Various Sites per Bid No. 2627-00-P-RFP.
CITY MANAGER'S RECOMMENDATION: Adopt the resolution.
- ITEM-101: State Block Grant 2003/2004 – "Citizen Options for Public Safety."
CITY MANAGER'S RECOMMENDATION: Adopt the resolution.

=== LEGISLATIVE SCHEDULE (Continued) ===

Adoption Agenda, Consent Items (Continued)

- ITEM-102: El Cajon Boulevard BID Street Lighting. Mid-City Community Area. (Dist. 3)
CITY MANAGER'S RECOMMENDATION: Adopt the resolution.
- ITEM-103: North Park Landscape and Lighting Improvements. Greater North Park Community Area. (Dist. 3)
CITY MANAGER'S RECOMMENDATION: Adopt the resolution.
- ITEM-104: Talmadge Streetscape and Lighting Improvements. Mid-City Community Area. (Dist. 3)
CITY MANAGER'S RECOMMENDATION: Adopt the resolution.
- ITEM-105: Angle Parking on Hancock Street. Midway Community Area. (Dist. 2)
CITY MANAGER'S RECOMMENDATION: Adopt the resolution.
- ITEM-106: Angle Parking on National Avenue, Newton Avenue, and Main Street. Barrio Logan Community Area. (Dist. 8)
CITY MANAGER'S RECOMMENDATION: Adopt the resolution.
- ITEM-107: Angle Parking on Rosecrans Place. Midway Community Area. (Dist. 2)
CITY MANAGER'S RECOMMENDATION: Adopt the resolution.
- ITEM-108: Establishment of a Two-Hour Un-Metered Parking Zone on Via De La Valle. Carmel Valley Community Area. (Dist. 1)
CITY MANAGER'S RECOMMENDATION: Adopt the resolution.
- ITEM-109: Reappointment to the Funds Commission.
MAYOR MURPHY'S RECOMMENDATION: Adopt the resolution.
- ITEM-110: Reappointment to the Civil Service Commission.
MAYOR MURPHY'S RECOMMENDATION: Adopt the resolution.

=== **LEGISLATIVE SCHEDULE (Continued)** ===

Adoption Agenda, Consent Items (Continued)

- ITEM-111: Museum of Photographic Arts 20th Anniversary Day.
DEPUTY MAYOR ATKINS' RECOMMENDATION: Adopt the resolution.

Adoption Agenda, Discussion, Other Legislative Item

- ITEM-200: Market Street Village Affordable Housing Agreement with EV Two for the Construction of Twenty-Four Studio Apartments. East Village Community Area. (Dist. 2)
SAN DIEGO HOUSING COMMISSION'S RECOMMENDATION: Adopt the resolution.

Special Hearing, Discussion

- ITEM-201: Conference with Real Property Negotiator, pursuant to California Government Code Section 54956.8 – Qualcomm Stadium.
There is no Council discussion of this item. The City Council's actions are: 1) Open the Public Hearing and accept testimony from any members of the public wishing to address the City Council on this subject; 2) Conclude and close the public hearing; and 3) Refer the matter to Closed Session.

Adoption Agenda, Discussion, Other Legislative Item

- ITEM-202: Three actions related to Revisions to Building and Fire Regulations Resulting from the Cedar Fire.
CITY MANAGER'S RECOMMENDATION: Introduce and adopt the ordinance in Subitem A, and introduce the ordinances in Subitems B and C.

Public Notice

- ITEM-250: Notice of Completion and Acceptance of Subdivision Improvement Agreement – Cortez Hill Condominiums, Carmel Village, and Carmel Oaks Unit No. 1.

=== LEGISLATIVE SCHEDULE (Continued) ===

Noticed Hearing, Discussion

ITEM-330: Fairway Views Tentative Parcel Map No. 8183/Easement Abandonment No. 22071/Coastal Development Permit Nos: 8182, 11492 & 11493/Mitigated Negative Declaration No. 99-1357/PTS No. 3188. La Jolla Community Plan Area. (Dist. 1)
CITY MANAGER'S RECOMMENDATION: Adopt the resolution in subitem A; adopt the resolution in subitem B to grant the tentative map; and adopt the resolution in subitem C to grant the permits.

Non-Docket Items

Adjournment in Honor of Appropriate Parties

Adjournment

=== EXPANDED CITY COUNCIL AGENDA ===

SPECIAL ORDER OF BUSINESS

ITEM-30: Approval of Council Minutes.

TODAY'S ACTION IS:

Approval of Council Minutes for the meetings of:

12/08/2003

12/09/2003

12/15/2003 - Adjourned

12/16/2003 – Adjourned

12/22/2003 – Adjourned

12/23/2003 – Adjourned

12/29/2003 – Adjourned

12/30/2003 – Adjourned

01/05/2004 – Adjourned

01/06/2004 – Adjourned

NON-AGENDA PUBLIC COMMENT

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Time allotted to each speaker is determined by the Chair, however, comments are limited to no more than three (3) minutes **total per subject**, regardless of the number of those wishing to speak. Submit requests to speak to the City Clerk **prior** to the start of meeting. Pursuant to the Brown Act, no discussion or action, other than a referral, shall be taken by Council on any issue brought forth under "Non-Agenda Public Comment."

COUNCIL, CITY ATTORNEY, CITY MANAGER COMMENT

REQUEST FOR CONTINUANCE

The Council will now consider requests to continue those items scheduled to be heard at this morning's session. Requests to continue items scheduled to be heard at 2:00 p.m. will be taken at the beginning of the afternoon session.

CONSENT ITEMS

The following listed items are considered to be routine, and the appropriate Environmental Impact Reports have been considered. These items are indicated on the docket by a preceding asterisk (*).

ORDINANCE TO BE INTRODUCED, READY FOR DISPENSING WITH THE READING AND ADOPTION, AND ORDINANCES TO BE INTRODUCED:

Item 50.

RESOLUTIONS TO BE ADOPTED:

Items 100, 101, 102, 103, 104, 105, 106, 107, 108, 109, 110, and 111.

ADOPTION AGENDA, CONSENT ITEM

ORDINANCE TO BE INTRODUCED, READY FOR DISPENSING WITH THE READING
AND ADOPTION, AND ORDINANCES TO BE INTRODUCED:

* ITEM-50: **NOTE:** This Item has been moved under the Adoption Agenda items for
discussion, as Item #202.

ADOPTION AGENDA, CONSENT ITEMS

RESOLUTIONS:

- * ITEM-100: Ratify Award of Contract for the Purchase of Security Guard Services at Various Sites per Bid No. 2627-00-P-RFP.

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-2004-596)

Ratifying the award of contract by the Purchasing Agent to the low, responsive and responsible Bidder meeting specifications, The Wackenhut Corporation, San Diego, CA, for the purchase of Security Guard Services at Various City Sites per Bid No. 2627-00-P-RFP, as may be required for a period of one year beginning April 10, 2003 through April 9, 2004, for an estimated cost of \$1,182,132.68, terms Net 30 days, with option to renew the contract for one additional one-year period, with price escalations not to exceed Consumer Price Index (CPI) of prices in effect at the end of each prior contract year;

Authorizing the expenditure, \$194,879.81, from Fund No. 100, Department No. 532, Organization No. 2450, Object Account No. 4222, and Job Order No. 002101; \$148,816.57, from Fund No. 100, Department No. 532, Organization No. 2500, Object Account No. 4222, and Job Order No. 002260; \$10,629.75, from Fund No. 100, Department No. 532, Organization No. 2551, Object Account No. 4222, and Job Order No. 126206; \$404,602.73, from Fund No. 100, Department No. 310, Organization No. 4001, Object Account No. 4222, and Job Order No. 002024; \$68,082.18, from Fund No. 100, Department No. 443, Organization No. 2055, Object Account No. 4222, and Job Order No. 020551; \$14,589.02, from Fund No. 100, Department No. 443, Organization No. 2305, Object Account No. 4222, and Job Order No. 023051; \$14,589.02, from Fund No. 100, Department No. 443, Organization No. 2457, Object Account No. 4222, and Job Order No. 024571; \$636.07, from Fund No. 41300, Department No. 1311, Organization No. 9101, Object Account No. 4222, and Job Order No. 006131; \$6,360.80, from Fund No. 41300, Department No. 1312, Organization No. 9201, Object Account No. 4222, and Job Order No. 001131; \$8,905.13, from Fund No. 41300, Department No. 1311, Organization No. 9301, Object Account No. 4222, and Job Order No. 002131; \$13,993.79, from Fund No. 41300, Department No. 1314, Organization No. 9401, Object Account No. 4222, and Job Order No. 003141; \$22,898.95, from Fund No. 41300, Department No. 1316, Organization No. 9601, Object Account No. 4222, and Job Order No. 673000; and \$10,813.39, from Fund No. 41300, Department No. 1317, Organization No. 9701, Object Account No. 4222, and Job Order No. 671100, solely and exclusively, for providing funds for said contract; and authorizing the City Auditor and Comptroller, upon advice from the administering department, to transfer excess budgeted funds, if any, to the appropriate reserves.

ADOPTION AGENDA, CONSENT ITEMS (Continued)

RESOLUTIONS: (Continued)

* ITEM-100: (Continued)

CITY MANAGER SUPPORTING INFORMATION:

City Council action is requested to ratify the award of contract to The Wackenhut Corporation for the purchase of security guard services at various sites, per Bid No. 2627-00-P-RFP. This contract provides for security services at City Administration Building, World Trade Center, Crabtree, various Library Branches, Balboa Park, and Development Review Center, using a combination of roving foot patrols, vehicle patrols, drive by patrols or stationary guards.

At time of contract award in Fiscal Year 2000, the City required an estimate of 56,785 hours of guard services and 52 weeks of drive-by services from The Wackenhut Corporation at the cost of \$812,818. Since Fiscal Year 2000, the City upgraded and increased security guard services for the City Administration Building and Library Branches and the Vendor was granted the minimal price increases per additional contract period. Through these increases, the Fiscal Year 2004 cost for security guard services reached \$1,182,132.68, which requires ratification by City Council of the Purchasing Agent's contract award.

Twenty-eight (28) potential Bidders were contacted and thirteen (13) bids were received per the tabulation. On March 14, 2000, the low responsible and responsive Bidder meeting specifications, The Wackenhut Corporation, San Diego, CA, was accepted and the subject contract was awarded by the Purchasing Agent on behalf of the City Manager, as a requirements contract for a period of one (1) year beginning April 10, 2000 through April 9, 2001, for a total estimated annual cost of \$812,818; with options to renew the contract for four (4) additional one (1) periods; with price escalations not to exceed Consumer Price Index (CPI) of prices in effect at the end of each prior contract year.

FISCAL IMPACT:

FY04 Estimated Cost (July 1, 2003 through April 9, 2004):	\$919,797.00
Estimated Annual Cost (April 10, 2003 through April 9, 2004):	\$1,182,132.68

Loveland/Baldwin/WR

Aud. Cert. 2400590.

ADOPTION AGENDA, CONSENT ITEMS (Continued)

RESOLUTIONS: (Continued)

* ITEM-101: State Block Grant 2003/2004 – “Citizen Options for Public Safety.”

CITY MANAGER’S RECOMMENDATION:

Adopt the following resolution:

(R-2004-677)

Authorizing the Chief of Police to apply for, accept, and expend these Grant funds from the State of California for Fiscal Year 2003/2004 “Citizen Options for Public Safety”;

Authorizing the Chief of Police to execute all aspects of program operation, including any amendments, extensions, or renewals, for a period of up to five years, provided funding is made available by the State of California, and to certify that the City will comply with all applicable statutory or regulatory requirements related to said program;

Declaring that any resources received hereunder shall be used to supplement, and not to supplant expenditures controlled by this body; and that personnel positions, if any, funded under this grant are not subject to local hiring freezes.

CITY MANAGER SUPPORTING INFORMATION:

The San Diego Police Department will receive approximately \$1,899,431 from the State of California under Assembly Bill 3229, “Citizen Options for Public Safety” (State COPS). The State designates these funds for “front line law enforcement services,” and requires the City Council appropriate and approve these funds in accordance with the request of the Chief of Police.

The San Diego Police Department plans to use these funds for police automation, vehicle, communications, safety, forensic, training, and miscellaneous equipment, maintenance and resources as needs are identified. Expenditures will contribute to the safety and efficiency of law enforcement and crime prevention services throughout San Diego.

Please note: There is NO application form for these grant funds. Once approved in the State budget, they are transferred automatically.

FISCAL IMPACT:

There is no requirement for matching funds, and no requirement to continue grant funded activities or expenditures after grant funds are exhausted or terminated. State law requires that these funds supplement and not supplant funds otherwise available to law enforcement.

Uberuaga/Lansdowne/DJW

ADOPTION AGENDA, CONSENT ITEMS (Continued)

RESOLUTIONS: (Continued)

* ITEM-102: El Cajon Boulevard BID Street Lighting.

(Mid-City Community Area. District-3.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-2004-690)

Authorizing the City Auditor and Comptroller to create a special interest fund, Fund No. 702341, Mid-City Maintenance Assessment District (MAD) Capital Improvement Fund;

Authorizing and directing the City Auditor and Comptroller to increase the Capital Improvement Project budget by appropriating \$200,000, Fund No. 702341, Mid-City MAD Capital Improvement Fund, into CIP-39-209.0, El Cajon Boulevard Commercial Revitalization;

Authorizing the City Auditor and Comptroller to transfer \$200,000 from Fund No. 70234, Mid-City Maintenance Assessment District, to Fund No. 702341, Mid-City Capital Improvement Fund;

Authorizing the City Auditor and Comptroller to appropriate and expend an amount not to exceed \$200,000, Fund No. 702341, Mid-City MAD Capital Improvement Fund, from CIP-39-209.0, El Cajon Boulevard Commercial Revitalization, for the design and construction of street lights, contingent upon the City Auditor and Comptroller certifying that funds are available;

Authorizing the City Auditor and Comptroller, upon advice from the administering department, to transfer excess budgeted funds, if any, to the appropriate reserves.

CITY MANAGER SUPPORTING INFORMATION:

This action will allow for the use of Mid-City Maintenance Assessment District funds to install street lights in the Mid-City District. In accordance with Proposition 218, funds collected by the District may only be used for purposes identified in the Assessment Engineer's Report.

ADOPTION AGENDA, CONSENT ITEMS (Continued)

RESOLUTIONS: (Continued)

* ITEM-102: (Continued)

CITY MANAGER SUPPORTING INFORMATION: (Continued)

The Mid-City Maintenance Assessment District was established in July 1987, and re-engineered in 1998. The District is subdivided into five sub-districts, and the Mid-City Assessment Engineer's Report authorizes street light installation within Sub-District No. 13. Sub-District No. 13 follows El Cajon Boulevard (between Interstate 805 and 54th Street) and is divided into two zones (split at 44th Street) due to the extent of benefit accrued to property owners.

This action creates a fund for the purpose of installing street lights for this district.

The Capital Improvement Program will be used as the mechanism to ensure proper capitalization. CIP-39-209.0, El Cajon Boulevard Commercial Revitalization-Interstate 805 to 54th Street, allows for the installation of street lights along El Cajon Boulevard east of Interstate 805 to 54th Street.

FISCAL IMPACT:

Funds for this purpose are available in the Maintenance Assessment District. For CIP-39-209.0, El Cajon Boulevard Commercial Revitalization, \$200,000 is available from Mid-City Fund 70234. There is no impact to the General Fund.

Loveland/Belock/DVW

Aud. Cert. 2400611.

ADOPTION AGENDA, CONSENT ITEMS (Continued)

RESOLUTIONS: (Continued)

* ITEM-103: North Park Landscape and Lighting Improvements.

(Greater North Park Community Area. District-3.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-2004-691)

Amending the Fiscal Year 2004 Capital Improvement Program Budget by adding CIP-39-092.0, North Park Landscape and Lighting Improvements;

Authorizing the City Auditor and Comptroller to create a special interest fund, Fund No. 702491, North Park Maintenance Assessment District (MAD) Capital Improvement Fund;

Authorizing the City Auditor and Comptroller to increase the Fiscal Year 2004 Capital Improvements Program budget by appropriating \$100,000, Fund No. 702491, North Park Maintenance Assessment District (MAD) Capital Improvement Fund, into CIP-39-092.0, North Park Landscape and Lighting Improvements;

Authorizing the City Auditor and Comptroller to transfer \$100,000 from Fund No. 70249, North Park Maintenance Assessment District, to Fund No. 702491, North Park MAD Capital Improvements Fund;

Authorizing the City Auditor and Comptroller to appropriate and expend an amount not to exceed \$100,000, Fund No. 702491, North Park MAD Capital Improvements Fund, from CIP-39-092.0, North Park Landscape and Lighting Improvements, for the design and construction of street lights, contingent upon the City Auditor and Comptroller certifying that the funds are available;

Authorizing the City Auditor and Comptroller, upon advice from the administering department, to transfer excess budgeted funds, if any, to the appropriate reserves.

CITY MANAGER SUPPORTING INFORMATION:

This action will allow for the use of North Park Maintenance Assessment District funds to install street lights in the North Park District. In accordance with Proposition 218, funds collected by the District may only be used for purposes identified in the Assessment Engineer's Report.

ADOPTION AGENDA, CONSENT ITEMS (Continued)

RESOLUTIONS: (Continued)

* ITEM-103: (Continued)

CITY MANAGER SUPPORTING INFORMATION: (Continued)

The North Park Maintenance Assessment District is situated within the Greater North Park Community Planning Area roughly from Monroe Avenue south to Juniper Street between Georgia Street and Interstate 805. It was originally established in April 1996 and re-engineered in 1998. According to the North Park Assessment Engineer's Report, the District provides for the installation of approximately 150 new mid-block street lights and streetscape improvements, which may include tree installation, tree grates, new sidewalk, gutter replacement, and pedestrian lights, within the boundaries of the Greater North Park area.

This action creates a fund and a capital improvement project for this district. CIP-39-092.0, North Park Landscape and Lighting Improvements, is a new CIP that will allow for proper capitalization.

FISCAL IMPACT:

Funds for this purpose are available in the Maintenance Assessment District. For new CIP-39-092.0, North Park Landscape and Lighting Improvements, \$100,000 is available from North Park Fund 70249. There is no impact to the General Fund.

Loveland/Belock/DVW

Aud. Cert. 2400612.

ADOPTION AGENDA, CONSENT ITEMS (Continued)

RESOLUTIONS: (Continued)

* ITEM-104: Talmadge Streetscape and Lighting Improvements.

(Mid-City Community Area. District-3.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-2004-692)

Authorizing the City Auditor and Comptroller to create a special interest fund, Fund No. 702591, Talmadge Maintenance Assessment District (MAD) Capital Improvement Fund;

Authorizing the City Auditor and Comptroller to transfer \$250,000 from Fund No. 70259, Talmadge Maintenance Assessment District, to Fund No. 702591, Talmadge MAD Capital Improvement Fund;

Authorizing and directing the City Auditor and Comptroller to increase the Capital Improvement Program budget by appropriating \$250,000, Fund No. 702591, Talmadge MAD Capital Improvement Fund, into CIP-39-010.0, Talmadge Streetscape and Lighting Improvements;

Authorizing the City Auditor and Comptroller to appropriate and expend an amount of \$250,000, Fund No. 702591, Talmadge (MAD) Capital Improvement Fund, from CIP-39-010.0, Talmadge Streetscape and Lighting Improvements, for the design and construction of street lights and streetscape improvements, contingent upon the City Auditor and Comptroller certifying that the funds are available;

Authorizing the City Auditor and Comptroller, upon advice from the administering department, to transfer excess budgeted funds, if any, to the appropriate reserves.

CITY MANAGER SUPPORTING INFORMATION:

This action will allow for the use of Talmadge Maintenance Assessment District funds to install street lights and streetscape improvements in the Talmadge District. In accordance with Proposition 218, funds collected by the District may only be used for purposes identified in the Assessment Engineer's Report.

ADOPTION AGENDA, CONSENT ITEMS (Continued)

RESOLUTIONS: (Continued)

* ITEM-104: (Continued)

CITY MANAGER SUPPORTING INFORMATION: (Continued)

The Talmadge Maintenance Assessment Community is situated between Fairmount Avenue and Collwood Boulevard, north of Monroe Avenue and south of Mission Valley. According to the Talmadge Assessment Engineer's Report, the District provides for the installation of ornamental street lighting, as well as restoration and replacement of historic gates and the construction of landscaping and ornamental lighting components at the traffic circle at the intersection of 49th Street and Adams Avenue.

This action creates a fund for this district. The Capital Improvement Program will be used as the mechanism to ensure proper capitalization of improvements.

FISCAL IMPACT:

Funds for this purpose are available in the Maintenance Assessment District. For CIP-39-010.0, Talmadge Streetscape and Lighting Improvements, \$250,000 is available from Talmadge Fund 70259 (\$215,000 for street lights and \$35,000 for the traffic circle project). There is no impact to the General Fund.

Loveland/Belock/DVW

Aud. Cert. 2400634.

ADOPTION AGENDA, CONSENT ITEMS (Continued)

RESOLUTIONS: (Continued)

* ITEM-105: Angle Parking on Hancock Street.

(Midway Community Area. District-2.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-2004-684)

Establishing angle parking on the west side of Hancock Street between Channel Way and Sports Arena Boulevard, pursuant to authority conferred by and in accordance with the provisions of Section 86.03 of the San Diego Municipal Code;

Authorizing the installation of the necessary signs and markings to be made on said street, and the regulations imposed shall become effective upon the installation of such signs.

CITY MANAGER SUPPORTING INFORMATION:

This action permits angle parking on the west side of Hancock Street between Channel Way and Sports Arena Boulevard. This action increases the available parking by 50%. Council approval is required according to Municipal Code Section 86.03.

This action has been supported by the Midway Community Planning Group. A petition representing more than 75% of the affected property owners was submitted in support of this action.

FISCAL IMPACT:

Funds are budgeted within the Transportation Department, Street Division's operating fund for this purpose.

Loveland/Belock/DVW

ADOPTION AGENDA, CONSENT ITEMS (Continued)

RESOLUTIONS: (Continued)

* ITEM-106: Angle Parking on National Avenue, Newton Avenue, and Main Street.

(Barrio Logan Community Area. District-8.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-2004-687)

Establishing angle parking at the following locations, pursuant to authority conferred by and in accordance with the provisions of Section 86.03 of the San Diego Municipal Code:

- Southside of National Avenue between Cesar Chavez Parkway and Dewey Street;
- North and south side of Newton Avenue between Cesar Chavez Parkway and Dewey Street; and
- North side of Main Street between Cesar Chavez Parkway and Evans Street.

Authorizing the installation of the necessary signs and markings to be made on said streets, and the regulations imposed shall become effective upon the installation of such signs.

CITY MANAGER SUPPORTING INFORMATION:

This action will authorize the City Manager to install angle parking on:

- a) south side of National Avenue between Cesar Chavez Parkway and Dewey Street;
- b) north and south side of Newton Avenue between Cesar Chavez Parkway and Dewey Street; and
- c) north side of Main Street between Cesar Chavez Parkway and Evans Street.

The proposed angle parking will provide additional parking spaces for the residential and business community, including the community park. The angle parking fronts vacant land that is within the Barrio Logan Redevelopment Project Area.

The Barrio Logan Project Area Committee is in support of this action.

FISCAL IMPACT:

Funds are budgeted within the Transportation Department, Street Division's operating fund for this purpose.

Loveland/Belock/DVW

ADOPTION AGENDA, CONSENT ITEMS (Continued)

RESOLUTIONS: (Continued)

* ITEM-107: Angle Parking on Rosecrans Place.

(Midway Community Area. District-2.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-2004-685)

Establishing angle parking on the west side of Rosecrans Place between Cole Drive and Sellers Drive, pursuant to authority conferred by and in accordance with the provisions of Section 86.03 of the San Diego Municipal Code;

Authorizing the installation of the necessary signs and markings to be made on said street, and the regulations imposed shall become effective upon the installation of such signs.

CITY MANAGER SUPPORTING INFORMATION:

This action permits angle parking on the west side of Rosecrans Place between Cole Drive and Sellers Drive. A petition representing more than 75% of the affected property owners was submitted in support of this request. The request meets the criteria established for the installation of angle parking. This action increases the available parking by 27%. The Midway Community Planning Group voted in support of the installation of angle parking. Council approval is required according to Municipal Code Section 86.03.

FISCAL IMPACT:

Funds are budgeted within the Transportation Department, Street Division's operating fund for this purpose.

Loveland/Belock/DVW

ADOPTION AGENDA, CONSENT ITEMS (Continued)

RESOLUTIONS: (Continued)

* ITEM-108: Establishment of a Two-Hour Un-Metered Parking Zone on Via De La Valle.

(Carmel Valley Community Area. District-1.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-2004-686)

Establishing a two-hour un-metered time limit parking zone on the south side of Via De La Valle between San Andres Drive and a point 133 feet east, Sunday and certain holidays excepted, effective between the hours of 8:00 a.m. and 6:00 p.m., in accordance with the provisions of Section 86.04 of the San Diego Municipal Code;

Authorizing the installation of the necessary signs and markings be made on said street, and the regulations imposed shall become effective upon the installation of such signs.

CITY MANAGER SUPPORTING INFORMATION:

This action establishes two-hour parking 8: 00 a. m. to 6: 00 p. m., Sundays and certain holidays excepted, on the south side of Via De La Valle between San Andres Drive and a point 133 feet east. This action is in accordance with Municipal Code Section 86.04 and Council Policy 200-04, Installation or Removal of Time Limit Parking Zones and Parking Meter Zones.

The land use adjacent to this segment of Via De La Valle is commercial (strip mall), and would benefit from an increased turnover in parking. Staff has conducted a parking duration study, which revealed a high level of occupancy and a low turnover, thus satisfying the minimum requirements for time limit parking. For that reason, this request is justified and adequate enforcement will be provided.

The owner of this property submitted a petition in support of time limit parking on south side of Via De La Valle between San Andres Drive and a point 133 feet east. In addition, the Carmel Valley Community Planning Board is in support of this action.

FISCAL IMPACT:

Funds for the installation of signs are budgeted within the Transportation Department, Street Division's operating fund for this purpose.

Loveland/Belock/VW

ADOPTION AGENDA, CONSENT ITEMS (Continued)

RESOLUTIONS: (Continued)

* ITEM-109: Reappointment to the Funds Commission.

(See memorandum from Mayor Murphy dated 1/7/2004, with resume attached.)

MAYOR MURPHY'S RECOMMENDATION:

Adopt the following resolution:

(R-2004-707)

Council confirmation of the reappointment of Sally Salazar Preston by the Mayor of the City of San Diego, to serve as a member of the Funds Commission, for a term expiring on January 28, 2008.

* ITEM-110: Reappointment to the Civil Service Commission.

(See memorandum from Mayor Murphy dated January 8, 2004, with resume attached.)

MAYOR MURPHY'S RECOMMENDATION:

Adopt the following resolution:

(R-2004-713)

Council confirmation of the reappointment of Norman Seltzer by the Mayor, to serve as a member of the Civil Service Commission, for a term ending January 9, 2009.

ADOPTION AGENDA, CONSENT ITEMS (Continued)

RESOLUTIONS: (Continued)

* ITEM-111: Museum of Photographic Arts 20th Anniversary Day.

DEPUTY MAYOR ATKINS' RECOMMENDATION:

Adopt the following resolution:

(R-2004-701)

Recognizing the Museum of Photographic Arts for its efforts to advance the appreciation of photographic arts, and heartily congratulates the museum on the occasion of its 20th anniversary;

Proclaiming January 10, 2004 to be "Museum of Photographic Arts 20th Anniversary Day" in the City of San Diego.

ADOPTION AGENDA, DISCUSSION, OTHER LEGISLATIVE ITEMS

RESOLUTION:

ITEM-200: Market Street Village Affordable Housing and Single Room Occupancy Agreements with EV Two for the Construction of Twenty-Four Studio Apartments (East Village).

(See San Diego Housing Commission Report No. CCR04-001. East Village Community Area. District-2.)

SAN DIEGO HOUSING COMMISSION'S RECOMMENDATION:

Adopt the following resolution:

(R-2004-695 Cor. Copy)

Approving the alternative method of complying with the City's Single Room Occupancy (SRO) regulations, for purposes of ensuring the production of twenty-four new affordable units and upgrading the health, safety, and welfare of the housing stock, located in downtown San Diego between 11th and 13th Streets along Market Street in the East Village;

Authorizing the City Manager to execute the Affordable Housing and Single Room Occupancy Agreement and agreement imposing covenants, conditions and restrictions on real property, and inclusionary housing in Lieu Fee Agreement and any other documents necessary to protect the City's rights under the approved agreements.

ADOPTION AGENDA, DISCUSSION, HEARINGS

SPECIAL HEARING:

ITEM-201: Conference with Real Property Negotiator, pursuant to California Government Code Section 54956.8:

Property: Qualcomm Stadium.

Agency Negotiator: Assistant City Attorney Leslie J. Girard, Deputy City Manager Bruce Herring, Paul Jacobs, Esq., Daniel S. Barrett, and Robert Kheel.

Negotiating Parties: City of San Diego and the San Diego Chargers.

Under Negotiation: Real Property Interests at the Qualcomm Stadium site pursuant to the recommendations of the Citizens Task Force on Chargers Issues, and pursuant to the terms of Paragraph 31 of the 1995 Agreement for the Partial Use and Occupancy of Qualcomm Stadium.

Prior to City Council discussion in Closed Session and in compliance with the Brown Act (California Government Code Section 54956.8), this item is listed on the docket **only** for public testimony.

There is no Council discussion of this item. The City Council's actions are:

1) Open the Public Hearing and accept testimony from any members of the public wishing to address the City Council on this subject; 2) Conclude and close the public hearing; and 3) Refer the matter to Closed Session.

NOTE: Members of the public wishing to address the City Council on this item should speak "in favor" or "in opposition" to the subject.

ADOPTION AGENDA, DISCUSSION, OTHER LEGISLATIVE ITEMS

ORDINANCE TO BE INTRODUCED, READY FOR DISPENSING WITH THE READING AND ADOPTION, AND ORDINANCES TO BE INTRODUCED:

ITEM-202: Three actions related to Revisions to Building and Fire Regulations Resulting from the Cedar Fire.

(See City Manager Report CMR-04-005.)

CITY MANAGER'S RECOMMENDATION:

Introduce and adopt the ordinance in Subitem A, and introduce the ordinances in Subitems B and C:

Subitem-A: (O-2004-88 Cor. Copy)

Introduction and adoption of an Emergency Ordinance of the Council amending Chapter 14, Article 5, Division 2, of the San Diego Municipal Code by amending Section 145.0202; and by adding a new Division 5, titled "Additional Building Standards for Buildings Located Adjacent to High Fire Hazard Areas," and Section 145.0501, 145.0502, 145.0503, 145.0504, and 145.0505, all pertaining to Building Regulations within High Fire Hazard Areas.

NOTE: 6 votes required pursuant to Section 17 of the City Charter.

Subitem-B: (O-2004-83 Cor. Copy)

Introduction of an Ordinance amending Chapter 14, Article 5, Division 2, of the San Diego Municipal Code by amending Section 145.0202; and by adding a new Division 5, titled "Additional Building Standards for Buildings located Adjacent to High Fire Hazard Areas," and Sections 145.0501, 145.0502, 145.0503, 145.0504, and 145.0505, all pertaining to Building Regulations within High Fire Hazard Areas.

Subitem-C: (O-2004-85)

Introduction of an Ordinance amending the existing Development Services Department fee schedule, which was adopted by City Council by Ordinance Number O-19184 on June 3, 2003, to add a new fee for sprinkler system plan check and inspection services created by the newly adopted regulations related to construction on lots adjacent to High Fire Hazard Areas as listed in Manager Report CMR-04-005.

PUBLIC NOTICES:

Items are listed under Public Notice as a matter of public record only. These items do not require Council action and there is no public testimony.

ITEM-250: Notice of Completion and Acceptance of Subdivision Improvement Agreement.

Notice is hereby given that the City Manager of the City of San Diego intends to file a "Notice of Completion and Acceptance of Subdivision Improvement Agreement" indicating that the improvements included in the Subdivision Improvement Agreement have been satisfactorily completed for the following subdivisions:

SUBDIVISION

COMMUNITY AREA

Cortez Hill Condominiums
Carmel Village
Carmel Oaks Unit No. 1

Centre City
Carmel Valley
Carmel Valley

The certification shall be recorded 15 days after the date this notice appears on the Council Docket or shortly thereafter. If any person wishes to object to the filing of this notice, such person should communicate the objection on or before that date to the Director of Development Services or to the Subdivision Engineer, City Operations Building, 1222 First Avenue (MS 507), San Diego, CA 92101.

ADOPTION AGENDA, DISCUSSION, HEARINGS

NOTICED HEARING:

ITEM-330: Fairway Views.

Matter of approving, conditionally approving, modifying or denying an application for a Tentative Map, Easement Abandonment and Coastal Development Permits (TM/EA/CDP) to create a three-parcel tentative map on a vacant 2.70 acre site and to amend Coastal Development Permit No. 99-0501 (6906 Fairway Road) to include the proposed lot configuration. The three proposed parcels would be developed with single-family residences (one of which was previously approved under CDP 99-0501). The undeveloped project site is located north of Nautilus Street, east of the La Jolla Country Club golf course, and south of Fairway Road in the La Jolla Community Plan area and is zoned R-1-10. The project proposes to vacate portions of existing water and storm drain easements on the project site. The project was submitted in December 1999 and is therefore subject to the Municipal Code that was in effect prior to January 1, 2000.

(See City Manager Report CMR-04-004/Tentative Parcel Map No. 8183/Easement Abandonment No. 22071/Coastal Development Permit Nos: 8182, 11492 & 11493/Mitigated Negative Declaration No. 99-1357/PTS No. 3188. La Jolla Community Plan Area. District-1.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution in subitem A; adopt the resolution in subitem B to grant the tentative map; and adopt the resolution in subitem C to grant the permits.

Subitem-A: (R-2004-563)

Adoption of a Resolution certifying that the information contained in Mitigated Negative Declaration No. 99-1357, on file in the office of the City Clerk, has been completed in compliance with the California Environmental Quality Act of 1970 (California Public Resources Code section 21000 et seq.) as amended, and the State guidelines thereto (California Code of Regulations section 15000et seq.), that the declaration reflects the independent judgment of the City of San Diego as Lead Agency and that the information contained in the report, together with any comments received during the public review process, has been reviewed and considered by this Council in connection with the approval of the land use actions for the Fairway Views project;

ADOPTION AGENDA, DISCUSSION, HEARINGS (Continued)

NOTICED HEARING: (Continued)

ITEM-330-: (Continued)

Subitem-A: (Continued)

That the City Council finds that project revisions now mitigate potentially significant effects on the environment previously identified in the Initial Study and therefore, that the Mitigated Negative Declaration is approved;

That pursuant to California Public Resources Code section 2108.6, the City Council adopts the Mitigation Monitoring and Reporting Program, or alterations to implement the changes to the project as required by this body in order to mitigate or avoid significant effects on the environment;

That the City Clerk is directed to file a Notice of Determination (NOD) with the Clerk of the Board of Supervisors for the County of San Diego regarding the above project.

Subitem-B: (R-2004-564)

Adoption of a Resolution granting or denying Tentative Parcel Map No. 8183 and Public Easement Vacations No. 22071, for the Fairway Views Project(3188), with appropriate findings to support Council action.

Subitem-C: (R-2004-)

Adoption of a Resolution granting or denying Coastal Development Permit Nos: 8182, 11492 & 11493, for the Fairway Views Project (3188), with appropriate findings to support Council action.

OTHER RECOMMENDATIONS:

Planning Commission on October 16, 2003, voted 5-0 to recommend approval of the project with the following conditions:

1. that the previously disturbed areas be revegetated according to the original plan and that the potential for pedestrian access be looked at;

ADOPTION AGENDA, DISCUSSION, HEARINGS (Continued)

NOTICED HEARING: (Continued)

ITEM-330: (Continued)

2. prior to recordation of the first final map, subdivider shall provide 55 feet of irrevocable offer of dedication for the mission segment of Fairway Road satisfactory to the City Engineer; and
3. open space easement will be placed over the area that is shown as Exhibit 16 on the applicant's presentation.

Ayes: Lettieri, Brown, Chase, Garcia, Ontai

Recusing: Schultz, Steele

The La Jolla Community Planning Group did not comment on the revised project plan prior to the October 16 Planning Commission hearing. However, on December 4, 2003, the Group voted 10-3-1 in favor of a motion opposing the traffic revisions on Nautilus Street associated with the project between Muirlands and Via Valverde (re-stripping to add a turn lane). In response, the applicant has agreed to eliminate the re-stripping and staff have removed it as a project feature and condition. The project heard by Planning Commission on September 11 proposed the development of five single family homes. On June 5, 2003, the La Jolla Community Planning Group approved a motion by a vote of 10-8-0 to direct the project to the Traffic and Transportation Committee for review. Since the applicant had met with the Permit Review Committee of the Planning Group on four previous occasions, the applicant elected not to take the project to the Traffic and Transportation Committee, and instead chose to proceed directly to a Planning Commission hearing.

CITY MANAGER SUPPORTING INFORMATION:

The Fairway Views project now proposes to create a three lot subdivision for the development of three single-family homes on the 2.7 acre undeveloped site. Proposed lot sizes range from 31,353 square feet to 44,732 square feet, which is consistent with the requirement of the R-1-10 zone (10,000 square foot minimum lot). The three homes proposed with this project range in size from 8,500 square feet to 10,400 square feet, including attached 3 car garages.

Two of the proposed residences are located on the southern edge of the site along Nautilus Street and would take access off of Nautilus Street via a shared 25 foot driveway. The third home, which was previously approved for development by CDP No. 99-0501(Waltz Residence), would be located on the northern part of the property with access from Fairway Road. The Fairway Views project would amend CDP No. 99-0501 to reflect the new parcel configuration and to make it consistent with the requirements of the Tentative Parcel Map.

ADOPTION AGENDA, DISCUSSION, HEARINGS (Continued)

NOTICED HEARING: (Continued)

ITEM-330: (Continued)

CITY MANAGER SUPPORTING INFORMATION: (Continued)

Portions of three easements are proposed to be abandoned with this project. The first would vacate an earth excavation or embankment, slope, and drain easement that runs across the southern part of the property along Nautilus Street. A new storm drain easement is proposed to accommodate the existing storm drain on the southwestern corner of the property. The second and third easement abandonments would vacate portions of an existing water easement along the eastern border of the site.

The project includes a building restricted easement on the southwestern corner of the project site, primarily due to geotechnical issues. With the reconfiguration of the size and number of parcels, the size of this building restricted easement has increased to 9,300 square feet. In addition to this building restricted easement, the Planning Commission recommended that an open space easement be placed over the area that is shown conceptual in exhibit 16 of the applicant's presentation. The project as proposed now includes this open space easement area, which consists of approximately one acre.

FISCAL IMPACT:

All costs associated with the processing of this project are paid from a deposit account maintained by the applicant.

Ewell/Christiansen/VLG

LEGAL DESCRIPTION:

The project site is located in the La Jolla Community Planning Area, north of Nautilus Street, east of the La Jolla Country Club golf course, and south of Fairway Road, with the parcel that was previously approved, located at 6906 Fairway Road.

NON-DOCKET ITEMS

ADJOURNMENT IN HONOR OF APPROPRIATE PARTIES

ADJOURNMENT